

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI

In Admiralty

ST Engineering Halter Marine &
Offshore, Inc., d/b/a Halter Marine &
Offshore
Plaintiff

VERSUS

M/V RALPH E. BOUCHARD,
apparel, appurtenances, etc., in rem
in rem; and
BOUCHARD TRANSPORTATION CO,
INC.

* CIVIL ACTION NO: 1-19-955

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* JUDGE LOUIS GIROLA, JR.

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* MAGISTRATE ROBERT H.

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WALKER

VERIFIED COMPLAINT IN INTERVENTION

Plaintiff, Bluewater Electric, LLC (“Bluewater”), a Louisiana limited liability company, by and through its undersigned counsel, brings this Verified Complaint in Intervention against the M/V RALPH E. BOUCHARD, her engines, tackle, apparel, equipment, appurtenances, etc., *in rem*, and respectfully represents that:

I. JURISDICTION AND VENUE

1. This Court has jurisdiction pursuant to 28 U.S.C. §1333, 46 U.S.C. §31341, *et seq.* and general maritime law. This is an admiralty and maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure and Supplemental Rules C and E of the of the Federal Rules of Civil Procedure.

2. Venue is proper pursuant to 28 U.S.C. §1391(b).

II. PARTIES

3. Bluewater is a Louisiana limited liability company with its principal place of business in Orleans Parish, Louisiana and provides electric work to vessels.

4. The defendants is:

(a) M/V RALPH E. BOUCHARD, her engines, tackle, apparel, equipment, appurtenances, etc., *in rem*, a United States flagged vessel which is and will be afloat upon the navigable waters of the United States and within the jurisdiction of this Court.

III. BOUCHARD TRANSPORTATION VESSELS

5. At all times pertinent, the M/V RALPH E. BOUCHARD and the BARGE B. NO. 230 were paired and operated together by Bouchard Transportation as an articulated tug/barge unit.

IV. SUPPLEMENTAL RULE C CLAIMS

6. Pursuant to purchase orders numbers 9053847, 9054064, 9056212, 9058666 and 9058671 issued by defendant Bouchard Transportation, Bluewater provided electrical work aboard the M/V RALPH E. BOUCHARD while in the Port of New Orleans in the principal amount of \$16,168.20 under invoice numbers A2019039, A2019041, I2019656, F2019475 and I2019648. See attached Bluewater invoices, **Exhibit "A"** incorporated herein and made a part hereof.

7. Bluewater provided the above-described work for the benefit of the M/V RALPH E. BOUCHARD, all of which was performed by Bluewater in a good and workmanlike manner and accepted and utilized by the defendants.

8. The provision of the above-described work by Bluewater gives rise to a maritime lien against the M/V RALPH E. BOUCHARD, her engines, tackle, apparel, equipment, appurtenances, etc., *in rem*, pursuant to general maritime law and 46 U.S.C. §§ 31341, et seq.

9. In the alternative, Boland Marine is entitled to recognition of its maritime lien against the M/V RALPH E. BOUCHARD, her engines, tackle, apparel, equipment, appurtenances, etc., *in rem*, under equitable principles including the doctrine of *quantum meruit* or unjust enrichment in the amount set forth above.

10. All and singular, the premises and allegations in this Verified Complaint are true and correct and within the admiralty and maritime jurisdiction of the United States and this Court.

WHEREFORE, Bluewater prays:

1. That process in due form of law according to the rules and practices of this Court, in causes of admiralty and maritime jurisdiction, may issue against the M/V RALPH E. BOUCHARD, her engines, tackle, apparel, equipment, appurtenances, etc., *in rem*, and that all persons having or claiming an interest therein may cited to appear and answer, the matters aforesaid; and,

2. That this Court enter a judgment in Bluewater's favor in the principal amount of \$16,168.20 with interest and costs, and that the vessel described above, and its engines, tackle, apparel, equipment, appurtenances, etc., *in rem*, be condemned and sold to satisfy said judgment in preference and priority to all other claimants;

5. For all other general and equitable relief including the doctrine of *quantum meruit* or unjust enrichment as this Court deems just and proper.

Respectfully submitted:

s/ Paul J. Delcambre, Jr.

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VERIFICATION

BEFORE ME, the undersigned Notary, personally came and appeared:

DONALD MEYER

a person personally known to me, who, after being duly sworn, did depose and state that:

1. He makes this Verification based on his own personal knowledge.
2. He is the Manager and a Member of Bluewater Electric, LLC.
3. He read the foregoing Verified Complaint in Intervention and knows the contents thereof, and that the same are true and correct to best of his knowledge, information and belief.
4. The source of his knowledge, information and belief are the business records kept and maintained by Bluewater Electric, LLC during the ordinary course of business and his communications with employees of Bluewater Electric, LLC regarding their business dealings with authorized representatives of the defendant.


DONALD MEYER

Sworn to and subscribed before me
Notary, this 21st day of April 2020.


CARY A. DES ROCHES

CARY A. DES ROCHES
NOTARY PUBLIC
State of Louisiana, Bar No. 19550
My Commission is for life

CARY A. DES ROCHES
NOTARY PUBLIC
State of Louisiana, Bar No. 19550
My Commission is for life

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has this date been served on
all counsel of record in this proceeding by:

- | | |
|--|---|
| <input type="checkbox"/> Hand Delivery | <input type="checkbox"/> Prepaid U.S. Mail |
| <input type="checkbox"/> Facsimile | <input type="checkbox"/> Federal Express |
| <input type="checkbox"/> Electronic Mail | <input checked="" type="checkbox"/> CMF/ECF |

THIS 22nd day of April, 2020.

/s/ Paul J. Delcambre, Jr.